

Memorandum

TO: House Judiciary Members

FROM: Polly Lilleboe, MD

RE: House Bills 4044-4046

DATE: February 13, 2007

As a local emergency physician, I am reminded regularly of the importance of not only prescription drug availability, but also the necessity to keep the cost of these drugs low, so they are affordable for all patients. House Bills 4044-4046 would only serve to increase the frequency of litigations, increase costs to patients and limit the availability of an incalculable amount of prescription drugs, thus lowering the quality of even basic patient care. Pharmaceutical companies are required by law to go through a long and costly approval process before their drug can be introduced on the market. This is a standard that no other market, that I am aware of, is held to. It also must be noted that no product is without its risks, but this does not mean that it is of no benefit to society.

Fewer than 3% of FDA approved medications have ever been recalled, showing that overall, the current approval process is quite effective. However, if it can be proven that a company withheld vital information that would have affected the FDA approval of a particular drug, then current law would allow legal action to be taken by the consumer. Prescription drug manufacturers regularly introduce important and oftentimes life-saving drugs to consumers. Allowing House Bills 4044-4046 to pass could severely limit these companies' ability to provide quality products at affordable prices, due to the anticipation of high-cost of lawsuits that would inevitably follow.

If we, as citizens and legislators in Michigan, are trying to reform our current healthcare system, we should most certainly begin by lowering costs, or, if necessary examine improving the FDA approval process itself. House Bills 4044-4046 will most assuredly increase litigations, and thereby hamper any attempt at lowering current costs. Many times, patients are forced to weigh the importance of their health against the cost of receiving care. This should not be the case; the patient's health should always take priority. Please help us get closer to this end by voting no on House Bills 4044-4046; help assure that the cost of prescription drugs today will not be exceeded in the future.